

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION**

IN RE:

**ANTHONY JOHN MARTIN and
VALERIE ANN MARTIN**

**CASE NO. 12-04578-8-SWH
CHAPTER 13**

DEBTORS.

**TRUSTEE'S MOTION TO VACATE DISCHARGE OF DEBTORS AFTER
COMPLETION OF CHAPTER 13 PLAN**

COMES NOW Joseph A. Bledsoe, III, Chapter 13 Trustee, by and through Staff Attorney Thomas Hooper, pursuant to Federal Rule of Civil Procedure 60(b)(6), made applicable to the instant proceeding by Federal Rule of Bankruptcy Procedure 9024, and moves this honorable court to vacate its Order styled Discharge of Debtors After Completion of Chapter 13 Plan entered 10/24/2014 (Ct. Doc. #32). In support thereof, the Trustee has contemporaneously filed a Memorandum of Law.

WHEREFORE, the Trustee respectfully requests that this Court GRANT the instant Motion and vacate its Order styled Discharge of Debtor After Completion of Chapter 13 Plan, and for any other relief the court deems just and proper under the circumstances.

Dated: 24 October 2019

s/Joseph A. Bledsoe, III
JOSEPH A. BLEDSOE, III
Chapter 13 Trustee
N.C. State Bar No. 19817
s/Thomas H. Hooper
Thomas Hooper
Staff Attorney, Chapter 13 Trustee
N.C. State Bar No. 38919
Post Office Box 1618
New Bern, North Carolina 28563-1618
(252) 637-0074

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IN RE:

**ANTHONY JOHN MARTIN and
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**CASE NO. 12-04578-8-SWH
CHAPTER 13**

DEBTORS.

NOTICE OF TRUSTEE'S MOTION

The Chapter 13 Trustee has filed papers with the Court requesting to vacate a prior order of the court.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the Court to consider your views on the motion, then on or before **November 12, 2019**, unless otherwise ordered, you or your attorney must file with the Court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at: **Clerk, U.S. Bankruptcy Court, Post Office Box 791, Raleigh, NC 27602.**

If you mail your response to the Court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must also mail a copy to: **Joseph A. Bledsoe, III, Chapter 13 Trustee, Post Office Box 1618, New Bern, NC 28563-1618.**

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: October 24, 2019

s/Thomas Hooper
THOMAS H. HOOPER
Staff Attorney, Chapter 13 Trustee
N.C. State Bar No. 38919
Post Office Box 1618
New Bern, NC 28563-1618
(252) 633-0074

CERTIFICATE OF SERVICE

I, Thomas Hooper, do hereby certify that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on the date indicated herein below, I served copies of the foregoing TRUSTEE'S MOTION TO VACATE DISCHARGE OF DEBTORS AFTER COMPLETION OF CHAPTER 13 PLAN by depositing a copy of the same in a postage-paid envelope with the United States Postal Service or by electronic means, as indicated.

Meredith P. Ezzell
Attorney for Debtors

(via cm/ecf)

Anthony and Valerie Martin
7802 Trap Way
Wilmington, NC 28412

(via first-class mail)

All creditors on the attached mailing matrix.

DATED: October 24, 2019

/s/ Thomas Hooper
Thomas Hooper

Label Matrix for local noticing
0417-8
Case 12-04578-8-SWH
Eastern District of North Carolina
Wilson
Thu Oct 24 09:28:10 EDT 2019

ACS/College Loan Corp.
P O Box 7051
Utica, NY 13504-7051

Associated Recovery Systems
P O Box 463023
Escondido, CA 92046-3023

Azurea I, LLC
c/o Weinstein & Riley, P.S.
2001 Western Ave., Ste. 400
Seattle, WA 98121-3132

BACK BOWL I LLC, SERIES C
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

BB&T Bankruptcy Section
PO Box 1847
Wilson, NC 27894-1847

BB&T Loan Services
P.O. Box 2306
Wilson, NC 27894-2306

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

Bank of America Home Loans
Attn: Customer Service
P O Box 5170
Simi Valley, CA 93062-5170

Bank of America, N.A.
7105 Corporate Drive
Plano, TX 75024-4100

Bank of America, N.A.
Mail Stop: PTX-B36
Dallas, TX 75266

(p)BANKRUPTCY ADMINISTRATOR EDNC
434 FAYETTEVILLE STREET
SUITE 640
RALEIGH NC 27601-1888

Alane A. Becket
Becket & Lee LLP
16 General Warren Blvd.
PO Box 3001
Malvern, PA 19355-0701

Bernhardt and Strawser, PA
5821 Fairview Road
Suite 100
Charlotte, NC 28209-3829

Joseph A. Bledsoe III
PO Box 1618
New Bern, NC 28563-1618

William Ellis Boyle
Knott & Boyle
4800 Six Forks Road
Raleigh, NC 27609-0053

Capital One
P.O. Box 30285
Salt Lake City, UT 84130-0285

Capital One, N.A.
c o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701

Chase Bank One Card Services
P.O. Box 15298
Wilmington, DE 19850-5298

Citi
PO Box 6500
Sioux Falls, SD 57117-6500

Meredith P. Ezzell
The Bankruptcy Center
4004 Oleander Drive, Suite 102
Wilmington, NC 28403-6807

FIA Card Services NA
POB 3001
Malvern, PA 19355-0701

Fia Card Services, NA As Successor In Intere
c/o Weinstein & Riley, P.S.
2001 Western Ave., Ste. 400
Seattle, WA 98121-3132

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Internal Revenue Service
Centralized Insolvency Operation
P.O. Box 7346
Philadelphia, PA 19101-7346

Neil D. Jonas
Brock & Scott, PLLC
8757 Red Oak Blvd, Suite 150
Charlotte, NC 28217-3977

Kohl's
P.O. Box 3043
Milwaukee, WI 53201-3043

Anthony John Martin
7802 Trap Way
Wilmington, NC 28412-3449

Valerie Ann Martin
7802 Trap Way
Wilmington, NC 28412-3449

NC Department of Revenue
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Northstar Location Services
4285 Genesee Street
Buffalo, NY 14225-1943

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Smith Debnam, LLP
Attorneys at Law
P.O. Box 26268
Raleigh, NC 27611-6268

Melissa E. Swaby
Brock and Scott, PLLC
8757 Red Oak Blvd., Suite 150
Charlotte, NC 28217-3977

US Bank Nat'l/Brazos on behalf of Unite
Student Aid Funds.
Attn : Bankruptcy Litigation Unit E3149
PO Box 9430
Wilkes Barre, PA 18773-9430

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Bank of America
PO Box 982235
El Paso, TX 79998

Bankruptcy Administrator
1760-B Parkwood Blvd.
Wilson, NC 27893

(d)FIA CARD SERVICES, N.A.
PO Box 15102
Wilmington, DE 19886-5102

(d)FIA Card Services
PO Box 982235
El Paso, TX 79998

Internal Revenue Service
Insolvency Support Services
320 Federal Place, Room 335
Greensboro, NC 27401

Portfolio Recovery Associates, LLC
POB 12914
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Bank of America, N.A.

(d)Bank of America, N.A.
Mail Stop: PTX-B36
Dallas, TX 75266

(d)Joseph A. Bledsoe III
PO Box 1618
New Bern, NC 28563-1618

(u)Internal Revenue Service

End of Label Matrix
Mailable recipients 34
Bypassed recipients 4
Total 38